

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 4035 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? Yes.

JJJ

2. To be referred to the Reporter or not? No.

3. Whether Their Lordships wish to see the fair copy of the judgement? No.

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.

5. Whether it is to be circulated to the Civil Judge? No.

SHAILESHKUMAR RATILAL PATEL

Versus

STATE OF GUJARAT

Appearance:

MR MM TIRMIZI for Petitioner

MR MA PATEL, Ld. APP for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 24/09/98

ORAL JUDGEMENT

Heard learned advocate Mr. M.M. Tirmizi for the petitioner.

Leave granted to the petitioner so as to amend prayer clause 9(A) and to correct the word Satellite Police by substituting Ghatlodia Police Station. Petitioner to carry out the amendment forthwith.

Rule.

Learned A.P.P. Mr. M.A. Patel, waives service of rule on behalf of respondent-State of Gujarat.

The petitioner has prayed for modification of conditions imposed by this court granting bail to the petitioner in respect to offence registered vide C.R.No. I 342/97, at Ghatlodia Police Station. Said bail was granted vide order dtd.21.10.97, in the proceedings of Criminal Misc. Application No.5335/97.

It is contended by the petitioner that, as per the conditions imposed vide order dtd.21.10.97, petitioner is required to get his presence mark at Bavala Police Station twice in a month. That recently a Police Station called Sola High Court Police Station is established by the Government in the area of Ghatlodia. That the residence of the complainant of the said offence is covered within the area of newly established Sola High Court Police Station. That petitioner is ready and willing to abide by the condition not to enter into the area which is covered by Sola High Court Police Station, and in order to avoid inconvenience of going to Bavala for getting his presence mark twice in a month, he may be permitted to get his presence mark at Ghatlodia Police Station.

In the facts and circumstances of the case and in the interest of justice, petition is allowed. The earlier order dtd.21.10.97, passed in the proceedings of Criminal Misc. Application No.5335/97, granting bail to the present petitioner on the conditions stated therein is modified to the effect that condition (d) shall be substituted as under:

The petitioner shall get his presence mark before Ghatlodia Police Station on every Monday between 9.00 a.m. to 2.00 p.m., and shall not enter within the area of newly established Sola High Court Police Station which is also a part of Ghatlodia.

Rule is made absolute accordingly. No costs.
